

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
POUGHKEEPSIE DIVISION**

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In Re:

**NEW YORK MILITARY ACADEMY,

Debtor.**

**CHAPTER 11
CASE NO. 15-35379 CGM**

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AFFIDAVIT UNDER LOCAL BANKRUPTCY RULE 1007-2

**State of New York)
) ss.:
County of Dutchess)**

David B. Fields, being duly sworn, deposes and says:

1. Deponent makes this Affidavit pursuant to Local Bankruptcy Rule 1007-2 of the Rules of this Court.
2. I am a First Vice President of the Chapter 11 Debtor herein.
3. There are no other or prior Bankruptcy proceedings.
4. The names and addresses of all the known creditors are attached to the debtor's Chapter 11 petition.
5. Debtor is not involved in any pending lawsuits, except as follows:
 - a. New York Military Academy v New Open Group et al, Supreme Court, State of New York, County of Orange
 - b. Cornwall Improvement LLC v New York Military Academy et al, Supreme Court, State of New York, County of Orange
 - c. The Brunetti Foundation v New York Military Academy, Supreme Court, State of New York, County of Orange
6. There is no property of the debtor in the possession or custody of any public officer,

receiver, Trustee or assignee for the benefit of creditors, mortgagee pledge or assignee of rents.

7. The debtor has no shares of stock, debentures or other securities which are publicly held.
8. New York Military Academy is a private high school. The debtor may receive an estimated gross monthly income of \$75,000.00 for the thirty (30) days following the filing of the Chapter 11 petition, subject to additional review. The Debtor estimates its expenses for the thirty (30) days following the filing of the Chapter 11 petition will be \$300,000.00, subject to additional review.
9. It is estimated that the debtor not be making a profit during the thirty (30) days following the filing of the Chapter 11 petition but will be streamlining costs.
10. The debtor's financial difficulties have been caused by the following circumstances:
 - A. Declining enrollment
 - B. Failure of a potential buyer to close on the sale of the property
11. It is respectfully submitted that the best interest of the creditors, the debtor, and the community would be served in allowing the debtor to enter into Chapter 11 bankruptcy. Otherwise, in the event of immediate liquidation, unsecured creditors would receive little if anything in the way of a dividend. When a Plan is negotiated with creditors, the results will be the rehabilitation of the debtor.

/s/ David Fields

David Fields
First Vice-President
New York Military Academy

Sworn to before me this 3rd day of
March, 2015

/s/ *Leslie R. Fisher*
Notary Public
State of Pennsylvania
Qualified in Philadelphia County
Comm. Exp. August 21, 2015